## No. 44

# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

THURSDAY, MAY 19, 2005 10:30 a.m.

## MOTIONS AND RESOLUTIONS

## 

## **HB** 4402 Rep. Hansen

Education; employees; background check on special education personnel employed by public schools; require.

Amends secs. 1230 & 1230a of 1976 PA 451 (MCL 380.1230 & 380.1230a).

(Notice of intent to discharge from the Committee on Education given by Rep. Hopgood May 4, 2005.)

(Motion to discharge; passed for day May 5, 2005.)

## \_\_ 2 \_\_\_\_

## **HB** 4758 Rep. Kathleen Law

Environmental protection; landfills; solid waste; establish disposal charge.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 11532a & 11532b.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kathleen Law May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## 3

## **HB** 4759 Rep. Espinoza

Environmental protection; funding; earmarking of surcharge on solid waste entering landfills; provide for.

Amends secs. 11502, 11503, 11504, 11505 & 11506 of 1994 PA 451 (MCL 324.11502 et seq.); adds secs. 11532c, 11532d, 11532e, 11532f, 11532g & 11532h & repeals sec. 11532h of 1994 PA 451 (MCL 324.11532h).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Espinoza May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## 4

## **HB 4760** Rep. Kehrl

Environmental protection; landfills; moratorium on landfill new construction and expansion; provide for.

Amends sec. 11511a of 1994 PA 451 (MCL 324.11511a) & repeals sec. 11511a of 1994 PA 451 (MCL 324.11511a) & enacting section 1 of 2004 PA 38.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kehrl May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## MOTIONS AND RESOLUTIONS

## \_\_\_\_ 5 \_\_\_\_\_

## HB 4761 Rep. Miller

Environmental protection; landfills; list of jurisdictions authorized to export waste to Michigan; require updating of and removal of jurisdictions whose waste contains prohibited materials.

Amends sec. 11526b of 1994 PA 451 (MCL 324.11526b).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Miller May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## 6

## **HB** 4762 Rep. McDowell

Environmental protection; solid waste; civil infractions for solid waste violations; establish.

Amends secs. 11546 & 11549 of 1994 PA 451 (MCL 324.11546 & 324.11549).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. McDowell May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## MESSAGES FROM THE SENATE

### 7

## **HB** 4405 Rep. Whitmer

Health; pharmaceuticals; prohibition against mail-order pharmacies; eliminate.

Amends secs. 17708, 17751 & 17763 of 1978 PA 368 (MCL 333.17708 et seq.).

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day May 17, 2005.)

(I.E. House April 21, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

## **—** 8 **—**

## **HB** 4434 Rep. Hummel

Health; pharmaceuticals; prohibition against mail order pharmaceuticals and centralized prescription processing; eliminate prohibition and provide for.

Amends secs. 17708, 17751, 17752 & 17763 of 1978 PA 368 (MCL 333.17708 et seq.) & adds sec. 17753.

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day May 17, 2005.)

(I.E. House April 21, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

## MESSAGES FROM THE SENATE

## **4450** Rep. Robertson

Vehicles; title; perfection of a security interest in a motor vehicle; provide for.

Amends sec. 217 of 1949 PA 300 (MCL 257.217).

(Returned from Senate with amendments and immediate effect; laid over 1 day May 17, 2005.)

(I.E. House April 27, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendments, see House Journal No. 42, page 631 or Session Website.)

## \_\_\_\_ 10 \_\_\_\_\_

## HB 4451 Rep. Green

Vehicles; title; perfection of a security interest in a watercraft; provide for.

Amends sec. 80320 of 1994 PA 451 (MCL 324.80320).

(Returned from Senate with amendments and immediate effect; laid over 1 day May 17, 2005.)

(I.E. House April 27, 2005.)

(For Senate amendments, see House Journal No. 42, page 631 or Session Website.)

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## HB 4452 Rep. Hunter

Mobile homes; title; perfection of a security interest in a mobile home; provide for.

Amends sec. 30d of 1987 PA 96 (MCL 125.2330d).

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day May 17, 2005.)

(I.E. House April 27, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

## \_\_\_\_ 12 \_\_\_\_\_

## **HB** 4453 Rep. Dillon

Vehicles; title; perfection of a security interest in an offroad vehicle; provide for.

Amends sec. 81108 of 1994 PA 451 (MCL 324.81108).

(Returned from Senate with amendments and immediate effect; laid over 1 day May 17, 2005.)

(I.E. House April 27, 2005.)

(For Senate amendments, see House Journal No. 42, page 631 or Session Website.)

# \_\_\_\_ 13 \_\_\_\_\_

### 4603 Rep. Palsrok HB

Environmental protection; water pollution; water pollution laws that prohibit the discharge of biological organisms; provide enforcement.

Amends secs. 3104 & 3109 of 1994 PA 451 (MCL 324.3104 & 324.3109).

(Returned from Senate with amendments and immediate effect; laid over 1 day May 18, 2005.)

(I.E. House May 4, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendment, see House Journal No. 43, page 652 or Session Website.)

## THIRD READING

## — 14 ———

## **HJR** C Rep. Moolenaar

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art. VIII of the state constitution.

(Reported by the Committee on Education.)

(Not adopted; notice of intent to reconsider vote given by Rep. Ward May 3, 2005.)

(Vote reconsidered; passed for day May 4, 2005.)

(For House substitute (H-4), see Session Website.)

## **HB** 4446 Rep. Robertson

Health; abortion; provision allowing patients the opportunity to view the active ultrasound image of, and to have a picture of the ultrasound image of, the fetus prior to performing an abortion; require.

Amends sec. 17015 of 1978 PA 368 (MCL 333.17015).

(Reported by the Committee on Health Policy.)

(For House substitute (H-1), see Session Website.)

(For House amendments, see House Journal No. 40, page 605 or Session Website.)

### HB 4037 Rep. Condino

Health; pharmaceuticals; toll-free number for information regarding prescription drug programs; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9171.

(Reported by the Committee on Health Policy.) (For House substitute (H-1), see Session Website.)

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#### HB **4484** Rep. Wenke

Mobile homes; title; enforcement procedures of a mortgage lien on a manufactured home; revise.

Amends sec. 30i of 1987 PA 96 (MCL 125.2330i).

(Reported by the Committee on Banking and **Financial Services.**)

(For House amendments, see House Journal No. 43, page 640 or Session Website.)

## \_\_\_\_ 18 \_\_\_\_\_

## **SB** 77 Sen. Van Woerkom

Education; curricula; certain ROTC classes; consider as pupil instruction time.

Amends sec. 101 of 1979 PA 94 (MCL 388.1701).

(Reported by the Committee on Education.)

(For Senate substitute (S-1), see Session Website.)

## **HB** 4551 Rep. Elsenheimer

Construction; code; multiple buildings to share an elevator; allow.

Amends 1972 PA 230 (MCL 125.1501 - 125.1531) by adding sec. 13e.

(Reported by the Committee on Commerce.)

## THIRD READING

\_\_\_\_ 20 \_\_\_\_\_

## **HB** 4635 Rep. Hansen

Agriculture; fertilizer; sale of ammonium nitrate; regulate circumstances of its sale.

Amends secs. 8515 & 8516 of 1994 PA 451 (MCL 324.8515 & 324.8516).

(Reported by the Committee on Agriculture.) (For House substitute (H-2), see Session Website.)

## SECOND READING

\_\_\_\_\_ 21 \_\_\_\_\_

## HB 4374 Rep. Marleau

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

(Pursuant to Section 24.245a of the Michigan Compiled Laws, placed on calendar.)

\_\_\_\_ 22 \_\_\_\_

### HB 4403 Rep. Walker

Occupations; physicians; delegation of certain acts, tasks, or functions to a certified surgical technologist or certified surgical first assistant; allow under certain circumstances.

Amends sec. 16215 of 1978 PA 368 (MCL 333.16215).

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_ 23 \_\_\_\_

#### HB 4108 Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.

(Reported by the Committee on Agriculture.)

(For proposed House substitute (H-3), see Session Website.)

\_\_\_\_ 24 \_\_\_\_\_

## 170 Sen. Patterson

Crimes; domestic violence; certain warrant and police policies for domestic violence involving individuals who have had a dating relationship; establish and revise other sentencing guideline provisions.

Amends sec. 1a, ch. IV, sec. 16a, ch. IX, sec. 22, ch. XVI & secs. 15g, 16m & 16s, ch. XVII of 1927 PA 175 (MCL 764.1a et seg.).

(Reported by the Committee on Judiciary.)

<del>\_\_\_ 25 \_\_\_\_\_</del>

#### **4204** Rep. Gosselin HB

Sales tax; collections; sales tax collection on gasoline; provide for cap.

Amends sec. 4a of 1933 PA 167 (MCL 205.54a).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-3), see Session Website.)

## SECOND READING

<del>\_\_\_\_ 26 \_\_\_\_\_</del>

## **HB** 4206 Rep. Stakoe

Construction; other; standards and administrative process regarding conflict of interest; provide for inspectors in buildings trades.

Amends sec. 10 of 1986 PA 54 (MCL 338.2310).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-3), see Session Website.)

## HB 4207 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 39 of 2002 PA 733 (MCL 338.3549).

(Reported by the Committee on Local Government 4208 Rep. Stakoe
Construction

## HB

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 7a of 1956 PA 217 (MCL 338.887a).

(Reported by the Committee on Local Government and Urban Policy.)

\_\_\_\_ 29 \_\_\_\_\_

#### HB 4209 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends 1984 PA 192 (MCL 338.971 - 338.988) by adding sec. 13a.

(Reported by the Committee on Local Government and Urban Policy.)

\_\_\_\_ 30 \_\_\_\_\_

### 4257 Rep. Walker HB

Taxation; farmland and open space; agricultural security areas; provide for.

Amends heading of pt. 361 of 1994 PA 451 (MCL 324.101 - 324.90106) & adds pt. 363.

(Reported by the Committee on Natural Resources, **Great Lakes, Land Use, and Environment.)** 

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_ 31 \_\_\_\_\_

### HB 4360 Rep. Bieda

Higher education; community colleges; removal of board members who miss board meetings without valid excuses; provide for.

Amends sec. 157 of 1966 PA 331 (MCL 389.157).

(Reported by the Committee on Higher Education and Career Preparation.)

\_\_\_\_ 32 \_\_\_\_\_

### **4235** Rep. Nitz HB

Transportation; other; requirement of 2% biodiesel to be included in fuel products; provide for.

Amends secs. 2, 3 & 5 of 1984 PA 44 (MCL 290.642 et

(Reported by the Committee on Agriculture.)

## SECOND READING

— 33 ——

## **HB** 4541 Rep. Byrum

Liquor; other; motorsports entertainment complexes with 1,500 or more seats; allow patrons to bring in their own alcoholic beverages under certain circumstances.

Amends sec. 518 of 1998 PA 58 (MCL 436.1518).

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-2), see Session Website.)

\_\_\_\_ 34 \_\_\_\_\_

## HB 4161 Rep. Pastor

Family law; child custody; provision regarding presumption of custody in acknowledgment of parentage act; repeal. Repeals sec. 6 of 1996 PA 305 (MCL 722.1006).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-2), see Session Website.)

<del>\_\_\_\_</del> 35 <del>\_\_\_\_\_</del>

#### HB 4607 Rep. Stakoe

Traffic control; other; posting of year-round school session signage; allow.

Amends sec. 627a of 1949 PA 300 (MCL 257.627a).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-1), see Session Website.)

<del>\_\_\_\_</del> 36 <del>\_\_\_\_\_</del>

## 301 Sen. Gilbert

State; identification cards; heart logo on personal identification cards; allow.

Amends secs. 1 & 2 of 1972 PA 222 (MCL 28.291 &

(Reported by the Committee on Transportation.) (For Senate substitute (S-1), see Session Website.)

\_\_\_\_ 37 \_\_\_\_\_

## 4421 Rep. Sheen

Insurance; agents; waiver of continuing education requirement for individuals deployed to active duty; provide

Amends sec. 1204c of 1956 PA 218 (MCL 500.1204c).

(Reported by the Committee on Insurance.)

(For proposed House substitute (H-1), see Session Website.)

— 38 ———

#### 4133 Rep. Mortimer HB

Civil procedure; service of process; prohibition of process service on Sunday and election day; repeal. Repeals sec. 1831 of 1961 PA 236 (MCL 600.1831).

(Reported by the Committee on Local Government

and Urban Policy.)

(For proposed House substitute (H-2), see Session Website.)

<del>\_\_\_\_</del> 39 <del>\_\_\_\_\_</del>

### 195 Sen. Garcia SB

Health; code; administrative civil fine for operation of an agricultural labor camp without a license; provide for.

Amends secs. 12411 & 12431 of 1978 PA 368 (MCL 333.12411 & 333.12431).

(Reported by the Committee on Agriculture.) (For Senate substitute (S-1), see Session Website.)

## SECOND READING

—— 40 ———

### SB 225 Sen. Brown

Agriculture; other; agriculture tourism advisory commission; create within department of agriculture.

Creates & repeals new act.

(Reported by the Committee on Agriculture.)

(For proposed House substitute (H-2), see Session Website.)

(For Senate substitute (S-2), see Session Website.)

### SB 226 Sen. Gilbert

Agriculture; other; agriculture and rural community advisory council; create within department.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 23.

(Reported by the Committee on Agriculture.)

(For proposed House substitute (H-4), see Session Website.)

(For Senate substitute (S-2), see Session Website.)

**—** 42 **—** 

## **HB** 4597 Rep. Mortimer

Crimes; lewdness; penalties for indecent exposure while engaging in a lewd and lascivious act; provide for.

Amends sec. 335a of 1931 PA 328 (MCL 750.335a).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_ 43 \_\_\_\_\_

### **4598** Rep. Jones HB

Criminal procedure; sex offender registration; crime of indecent exposure while engaging in a lewd and lascivious act; include under sex offender registration requirements.

Amends sec. 2 of 1994 PA 295 (MCL 28.722).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

#### HB **4599** Rep. Elsenheimer

Criminal procedure; sentencing guidelines; indecent exposure while engaging in a lewd and lascivious act; include

Amends sec. 16q, ch. XVII of 1927 PA 175 (MCL

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

## STATUTORY COMMITTEE MEETING

Legislative Retirement Board of Trustees - Wednesday, May 25, 3:00 p.m., Room 252, Capitol Building

## STANDING COMMITTEE MEETINGS

(For an updated listing of committee meetings, go to http:\\www.michiganlegislature.org and click on Committee Meetings.)